

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DAVID L. CLARKE,

Plaintiff,

-against-

THOMAS KNADLER, *et al.*,

Defendants.

19-CV-7823 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

By order dated September 24, 2019, the Court directed Plaintiff to file an amended complaint within sixty days, and specified that failure to comply would result in dismissal of the complaint. A copy of the order was mailed to Plaintiff, but on October 15, 2019, it was returned as undeliverable. Plaintiff has not complied with the Court's order, failed to update his address, and has not communicated with the Court. Accordingly, the complaint, filed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a)(1), is dismissed under 28 U.S.C. § 1915(e)(2)(B)(ii).

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: December 4, 2019
New York, New York



COLLEEN McMAHON
Chief United States District Judge